

INSPECTION REPORT-VIOLATION

735371



Maricopa County Air Quality Department
1001 N. Central Avenue, Suite 125
Phoenix, AZ 85004
Phone: (602) 506-6010 Fax: (602) 506-2537
www.maricopa.gov/aq

Date: 20-Nov-15
Start Time: 0815 hrs End Time: 1300 hrs
Inspector: Shannon Klimek #92
Phone: 602.527.6288
Email: KlimekS@mail.maricopa.gov

Permit Number:

040136

Hickman's Egg Ranch, Inc.

6515 S. Jackrabbit Trail

Buckeye

AZ 85326

Inspection Result:

In Violation

Inspection Type: Detail inspection On-site

Inspection Purpose: Routine

Site Name: Hickman's Family Farms (Arlington)

Site Contact: Francisco Ruiz, Safety Director

Site Address:
32425 W. Salome Hwy.

City:
Arlington, AZ

Phone:
623.872.2341

Inspection Rights Notification:
Read and Signed Rights

ALL VIOLATIONS MUST BE CORRECTED IMMEDIATELY.



RULE	SECTION	VIOLATION TYPE	PC/STATUTE	DESCRIPTION	HPV
370	302.98	NOV	p.c. 11.c.	Owner/operator shall conduct preventative maintenance recommended by the manufacturer	<input type="checkbox"/>
Specifically: 40 CFR 63.6603(a) Table 2d(4): Emergency generator engines G-2 through G-9 on site have not received required maintenance. Details in comments.					
Disposition Date/Time:				Disposition Status:	
Disposition Comments:					
RULE	SECTION	VIOLATION TYPE	PC/STATUTE	DESCRIPTION	HPV
360	301.97	NOV	p.c. 12.d.	Owner/operator shall conduct preventative maintenance recommended by the manufacturer	<input type="checkbox"/>
Specifically: 40 CFR 60.4211(a): Emergency generator engines G-1; G-10 through G-25; and FM-1 on site have not received manufacture recommended maintenance. Details in comments.					
Disposition Date/Time:				Disposition Status:	
Disposition Comments:					
RULE	SECTION	VIOLATION TYPE	PC/STATUTE	DESCRIPTION	HPV
220	302.7	OTC	p.c. 13.c.	Keep copies of all reports required by the permit.	<input type="checkbox"/>
Specifically: Manufacturer's written instructions et al. for the emergency engines G-1 through G-25, and FM-1 were not kept on-site.					
Disposition Date/Time:				Disposition Status:	
Disposition Comments:					
RULE	SECTION	VIOLATION TYPE	PC/STATUTE	DESCRIPTION	HPV
353	302.2a	NOV		The fill pipe cap shall have a securely attached, intact gasket	<input type="checkbox"/>
Specifically: The gasoline storage tank fill pipe cap did not have a gasket.					
Disposition Date/Time:				Disposition Status:	
Disposition Comments:					
RULE	SECTION	VIOLATION TYPE	PC/STATUTE	DESCRIPTION	HPV
		OTC	40 CFR 63.11116(a)	Gasoline vapor release to atmosphere for extended periods of time not allowed.	<input type="checkbox"/>
Specifically: The vent pipe rising from the storage tank was equipped with a double outlet vent device. This would allow vapor to escape unimpeded from the tank.					
Disposition Date/Time:				Disposition Status:	
Disposition Comments:					
RULE	SECTION	VIOLATION TYPE	PC/STATUTE	DESCRIPTION	HPV
220	403.2	OTC		Changes at a source with a Non-Title V permit shall require a permit revision	<input type="checkbox"/>
Specifically:					

Greater than 300,000 btu/hr liquid propane fuel-burning equipment totaling 5,182,000 btu/hr observed in use at South Plant. North Plant not scrutinized at this time. No fuel-burning activities currently delineated in permit.

Disposition Date/Time:

Disposition Status:

Disposition Comments:

Comments

FILE REVIEW of permit using Revision 2.0.1.0.

Permit status: ISSUED

Previous inspection history: NOV 723877 - R200 S301 - Failure to obtain permit or permit revision Discovery: 31-Jan-2011

NOV 732956 - R314 S301 - Unlawful open burning Discovery: 07-Mar-2014

Prior inspection reports: Last Inspection : 28-Mar-2013: (Incomplete)

Next Last Inspection: 21-Jan-2011: (See violation 723877 above)

Operating parameters: Rule 320 (Hydrogen Sulfide); Rule 324 (Emergency Engines); Rule 353 (Gasoline Non-resale)

Miscellaneous:

- Crematory allegedly disconnected. (Rule 313)
- Mulching and Fertilizer piles to be scrutinized for burning (Rule 314)
- No Dust Control Plan required as operation is A.R.S. § 49-457 exempt.
- No O&M Plan required because there are no applicable ECS.
- Permit Mod pending to remove Feed Milling from permit due to potential A.R.S. § 49-457 exemption.
- Permit conditions for Fuel Burning associated with drum dryer's fertilizer processing not delineated in conditions yet. (Rule 323)

Performance testing requirements: Compliance demonstration for Hydrogen Sulfide

Emissions limits: n/a

Annual fee: Current

INSPECTION:

I conducted a routine inspection to verify compliance with Permit 040136 Revision 2.0.1.0.

I met on site with Compliance Manager, Shari Yeatts, and Safety and Health Coordinator, Frank Ruiz and explained the purpose of the inspection:

I was initially accompanied by Permitting Engineers, Li Sa Kon; Sara Seuberling; and Michael Sonenburg; but they opted to accompany Ms. Yeatts while Mr. Ruiz accompanied me for the duration of the inspection.

I photographed some of my observations.

Crematory:

Equipment not connected to a fuel source or process.

Mulching Operations:

No burning mulch material observed during scrutiny.

Odor Control:

No strong odors observed. No records requested due to my familiarity and observation of compliance with occasional Hydrogen Sulfide reports requested by Department throughout 2015.

Emergency Engines:

I visually inspected and photographed each of the emergency engines throughout the facility, noting make, model, serial number, current engine hours, BHP, and for some; the dates of the most recent oil-filter changes.

VIOLATION: [Rule 370 Section 302.98; p.c. 11.c.]

Failure to perform manufacturer scheduled maintenance on emergency generators, observed as follows:

- G-2 to G-9 Total of 8 generators.
 - Maintenance records unavailable for past 5 years.
- Mr. Ruiz provided me with total of 7 maintenance log entries for August 2014 oil changes for 5 of the 8 generators. Prior records were not provided.
- Mr. Ruiz stated:
 - The facility's Shop Manager left in 2013.
 - The current Shop Manager commenced in late 2014.
 - Prior logs not located and consequently could not be provided.
- Last inspection conducted in which compliance was verified by Department: 21-Jan-2011.
- I informed Mr. Ruiz this is an NOV violation.

REQUIRED CORRECTIVE ACTION: [Rule 370 Section 302.98; p.c. 11.c.]

Conduct all inspections and maintenance required per 40 CFR 63.6603(a) Table 2d(4) for each of the 8 generators delineated in permit condition 11 (i.e. G-2 through G-9) for which most recent required log entry has not been provided since the respective generator's installation; then submit to the Department as follows:

- Generators G-2 through G-9: [Total of 8 generators.]
 - Oil and Filter change or oil analysis results, date of change, and corresponding hours on the hour meter.
 - Inspection of air cleaner, date of inspection, and replacement date if replaced.
 - Inspection of all hoses and belts, date of inspection, and replacement date if replaced.
 - Submit to the Department the above delineated log entries within 14 business days of receipt of this report.

[NOTE: Conduct required inspections and maintenance regularly following submittal.]

VIOLATION: [Rule 360 Section 301.97; p.c. 12.d.]

Failure to perform manufacturer scheduled maintenance on emergency generators, observed as follows:

- G-1; G-10 through G-25; and FM-1; Total of 18 generators.
 - Maintenance records unavailable for past 5 years.
 - Maintenance records unavailable for G-20, G-21, G-22; and FM-1 since installation in 2012.
 - Maintenance records unavailable for G-23; G-24; and G-25 since installation in 2014.
- Mr. Ruiz provided me with total of 2 maintenance log entries for Aug 2014 oil changes for 2 of the 18 generators. Prior records were not provided.
- Mr. Ruiz stated:
 - The facility's Shop Manager left in 2013.
 - The current Shop Manager commenced in late 2014.
 - Prior logs not located and consequently could not be provided.
- Last inspection conducted in which compliance was verified by Department: 21-Jan-2011.
- I informed Mr. Ruiz this is an NOV violation.

REQUIRED CORRECTIVE ACTION: [Rule 360 Section 301.97; p.c. 12.d.]

Conduct all inspections and maintenance required for each particular generator for which most recent required log entry has not been provided since the respective generator's installation; then submit to the Department as follows:

- For emergency generator: G-1; G-10; G-11; G-20 through G-25; and FM-1; Total of 10 generators:
 - All items within attached maintenance schedule: CUMMINS / ONAN POWER GENERATION MAINTENANCE GUIDELINES --This is the document Mr. Ruiz provided me via email on 15-Dec-2015 to prove compliance with permit condition 13.c.;
 - OR, Comply with 40 CFR 60.4211(g)(2) summarized as follows:
 - Keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions.
 - In addition, you must conduct an initial performance test to demonstrate compliance within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions.
- For emergency generators: G-13, G-14; G-16 through G-19; Total of 6 generators:
 - All items within attached maintenance schedule: POWERTECH PLUS 9.0L 6090HF485 Tier III/Stage IIIA OEM DIESEL ENGINES --This is the document Mr. Ruiz provided me via email on 15-Dec-2015 to prove compliance with permit condition 13.c.;
 - OR, Comply with 40 CFR 60.4211(g)(2) summarized as follows:
 - Keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions.
 - In addition, you must conduct an initial performance test to demonstrate compliance within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions.
- For emergency generator: G-12
 - All items within attached maintenance schedule: Detroit Diesel Series 60 Engine Operator's Guide, Serial Number 162036. This is the document Mr. Ruiz provided me via email on 13-Jan-2016 to prove compliance with permit condition 13.c.;
- For emergency generator: G-15
 - All items within attached maintenance schedule: Katolight (Owner Manual) Serial Number 161491 This is the document Mr. Ruiz provided me via email on 13-Jan-2016 to prove compliance with permit condition 13.c.;

[NOTE: Conduct required inspections and maintenance regularly following submittal.]

VIOLATION: [Rule 220 Section 302.7; p.c. 13.c.;]

- During on-site inspection, Mr. Ruiz stated the Owner's Manuals are maintained at Jackrabbit Office but did not know where they were anymore because the office where it was kept was re-purposed but arranged to locate the owner manuals and email me excerpt's for

Comments

each respective engine manufacturer's recommended Inspection and Maintenance schedule to prove the manuals were present.

- I explained to Mr. Ruiz this is a failure to maintain an on-site copy and I was issuing an OTC violation which will be resolved by the submittal of the arranged excerpts.
- Record submittal pushed back at Mr. Ruiz's request until December 7, 2015.
- On December 15, 2015; Mr. Ruiz submitted the Manufacturer's Recommended Inspection and Maintenance excerpts excluding unit G-12 and G-15.
- On January 8, 2016; upon review of documents, I emailed Mr. Ruiz informing him I was still waiting on the owners manual's manufacturer recommended inspection and maintenance schedules for unit G-12 and G-15.
- On January 13, 2016; Mr. Ruiz submitted the owner manuals excerpts for units G-12 and G-15.

REQUIRED CORRECTIVE ACTION: [Rule 220 Section 302.7; p.c. 13.c.]

- Obtain and maintain an on-site copy of the manufacturer's written instructions.
- Provide the requested documents promptly for verification and disposition of this OTC.

AREA OF CONCERN: [Rule 324 Section 502.4; p.c. 13.a.]

Failure to keep a monthly record of engine hours of operation, for the purpose of a 12-month rolling record of engine hours as follows:

- G-12 through G-19 [Total of 8 generators.]
- Mr. Ruiz submitted a log of engine hours for the total number of engine hours each respective generator ran for a particular calendar year, for Nov/Dec 2011, calendar years 2012 through 2015.
- Violation based upon generator hours records provided for G-12 through G-19 on November 2011 and December 2011; which state, "unknown" quantity of hours.

On December 7, 2015; I telephoned Mr. Ruiz and explained the requirement to keep a record of the rolling 12-month engine hours. I explained to Mr. Ruiz this is not a record of the calendar year hours. Mr. Ruiz explained the non-compliance was inadvertent; and he is becoming increasingly more proficient with compliance as he learns.

- Number of hours on engine raises no concerns about exceeding allowable engine hours as quantities are very low; and I have observed improvements in record keeping of logging process for readiness and testing hours, evidenced by log sheets kept inside housing of most generators; and also evidenced by distinctions of hour logged since 2014.
- SUGGESTION: Going forward, keep records of data required for a 12-month rolling total of engine hours, for each engine. These should be presented as rolling 12-mo totals i.e. 12 monthly totals where if period requested if more than 12 consecutive months, then each consecutive 12 months has a separate 12-mo rolling total.

Gasoline Storage and Dispensing:

I observed the following:

- Facility has an above-ground 500-gallon gasoline above-ground storage tank located at the South Plant.
- There is no spill containment.
- There is no Stage I vapor recovery connection.
- The vent pipe on the tank has a double outlet vent device installed at the tip. No pressure/vacuum valve is installed on vent pipe.
- The tank already has two pressure vents installed on the top of the tank.
- Unknown tank manufacture date. ...not delineated in any prior permit applications, permit mod applications, TSD's, et al.
- Rule 353 Section 305.1 exemption to Farm Tanks is less stringent than 40 CFR 63.11116(a). Necessarily, the more stringent of the two regulations is applicable.
- Throughput records provided by Mr. Ruiz show a monthly throughput less than 10,000 gal/mo. The highest month noted for the period Nov-2014 though Oct-2015 was for the month of July-2015 at 2,317 gal.

VIOLATION: [Rule 353 Section 302.2 a.]

- Threaded and domed solid metal fill pipe cap, no gasket.
- I photographed this observation.
- I informed Mr. Ruiz I was issuing a NOV for the failure to have gasket on the fill pipe cap and suggested a gasket be installed immediately.
- Mr. Ruiz responded immediately by ordering the facility maintenance personnel to install a gasket on the fill pipe cap.
- On February 1, 2016; I telephoned Mr. Ruiz and reviewed the violation and corrective action required; Mr. Ruiz stated the gasket was placed on the fill pipe cap the date of inspection. I informed I would necessarily return to verify during Disposition inspection.

REQUIRED CORRECTIVE ACTION: [Rule 353 Section 302.2 a.]

- Install gasket on fill pipe cap.

VIOLATION: [40 CFR 63.11116(a)]

- The gasoline storage tank cannot lawfully be vented without controls into the outside air for an extended period of time. The presence of the double outlet vent on the vent pipe without a vapor valve of some sort is a violation of NESHAP; 40 CFR Part 63 Subpart CCCCCC. This requirement is applicable to gasoline dispensing facility's with monthly throughput < 10,000 gallons.

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- On February 1, 2016; I telephoned Mr. Ruiz and informed him I was issuing this particular violation, and explained the requirement. I also explained the required corrective action for this particular violation as follows:

REQUIRED CORRECTIVE ACTION: [40 CFR 63.11116(a)]

- I suggest installation pressure/vacuum valve.

Inspection observations of unpermitted activity i.e. Fuel Burning:

VIOLATION: [Rule 200 Section 403.2]

Unpermitted L.P. (liquid propane) fuel burning equipment observed installed and in active use at facility as follows:

South Plant:

West Boiler: 1,210,000 btu/hr

East Boiler: 1,460,000 btu/hr

Water heater #112: 1,256,000 btu/hr

Water heater #113: 1,256,000 btu/hr

North Plant:

Mr. Ruiz stated additional fuel burning equipment were present ancillary to North Plant, but I did not have opportunity to observe.

Fertilizer Plant:

I did not observe the L.P. fueled drum dryer, for which a permit modification has already been submitted. This equipment is not on the current permit, and I made no attempt to observe at this time.

- Total unpermitted fuel burning equipment actually observed and verified as delineated above: 5,182,000 btu/hr.
- The permit has no current L.P. fuel-burning permit conditions.
- No L.P. fuel burning equipment > 10 million btu/hr observed.
- I informed Mr. Ruiz the facility is in violation of the failure to submit a minor-modification to the permit prior to installing respective equipment.

REQUIRED CORRECTIVE ACTION: [Rule 200 Section 403.2]

- Submit minor-modification for addition of all fuel-burning equipment 300,000 btu/hr or greater to the permit.
 - Include the applicable fuel-burning equipment not observed in the North facility.
 - I suggest including a list of all fuel-burning equipment > 125,000 input btu/hr based on suggestion from Permitting Supervisor, Todd Martin.
 - Per Permitting Supervisor, Todd Martin, it is sufficient to add the above equipment to the current pending minor-modification.

AREA OF CONCERN: [Rule 200 Section 403.2]

- Mr. Ruiz stated emergency generators G-39, and G-42 replaced generators G-3 and G-4 respectively.
- Mr. Ruiz stated generator G-3 was relocated to Jackrabbit office, and G-4 was relocated to new maintenance facility under construction and part of Permit 040136, to be installed later.
- New generators G-43 and G-44 were observed on site, but not yet connected to electrical cables to provide emergency power to the facility.
- Include Emergency generators G-4, G-43, and G-44, to the minor modification prior to installation at this particular facility.
- I recommend complete list of emergency generator data be submitted along with minor-modification documents to alleviate confusion by the replacement of G-4 and its subsequent re-installation at the facility.

End report.

Documents used to determine compliance while on-site:

1) On site records

Additional documents associated with this inspection report:

1) Field notes

2) Internal mail correspondence

3) External email correspondence with documents attached

4) CUMMINS / ONAN POWER GENERATION MAINTENANCE GUIDELINES maintenance schedule

5) POWERTECH PLUS 9.0L 6090HF485 Tier III/Stage IIIA OEM DIESEL ENGINES maintenance schedule

6) Detroit Diesel Series 60 Engine Operator's Guide, Serial Number 162036 maintenance schedule

7) Katolight (Owner Manual) Serial Number 161491 maintenance schedule

8) Inspection photos

Delivery Method: Date: 12-Feb-16
Regular Mail

rec: 3/16/16
rev: [Signature]

[Signature]

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Maricopa County

Air Quality Department

Compliance Division 1001
North Central Ave., Suite
125 Phoenix, Arizona
85004 Phone:
602-506-6010
Fax: 602-506-2163

Dear Responsible Party:

RE: Violation Notice

On Nov 20, 2015, an inspection of your site/facility was conducted. This letter is conveying to you a notice that a violation of Maricopa County Air Quality Rules was identified during or originating from that inspection. The notice provides you with an explanation of basis for the violation.

The current status of any violations listed on the Violation can be tracked online at the following address: http://www.maricopa.gov/aq/divisions/enforcement/nov/nov_status.aspx. If access to the internet is unavailable, please call 602.506.6734 to obtain the status of the violation(s).

Should you wish to respond in any way to this violation, written correspondence regarding this violation should be sent so that it is received within 10 business days from the date of this notice. Please include the permit/notification/parcel and violation numbers in your written correspondence.

If you believe the basis of the violation is not accurate and no violation occurred, the department offers an opportunity to request a review of the inspection findings. A formal request for review must be made within 10 business days of receipt of this violation. The written request should provide sufficient information to allow the department to make an informed and objective assessment and recommendation regarding the issues raised in defense. A request for a review must include the identifying number of the Notice of Violation. You may submit a request by letter, completing the online form at <http://www.maricopa.gov/aq/divisions/Ombudsman/Default.aspx> or by e-mail:

Business Assistance Coordinator
Maricopa County Air Quality Department
1001 N. Central Ave., Suite 125
Phoenix, AZ 85004
AQbusinessassistance@mail.maricopa.gov
(602) 506-5102

Upon re-inspection, a Disposition Statement will be prepared indicating whether a violation was corrected. In most cases, a Notice of Violation (NOV) will be referred for formal enforcement. A Referral Report is prepared which becomes part of the formal record and often contains additional information regarding the specifics of the violation. Copies inspection, disposition and referral package will be sent to you during the enforcement process.

On the reverse side of this letter is a list of acronyms and policies related to inspections, our rules and our enforcement process. Further information about the Maricopa County Air Quality Department's rules can be found on the department's website, www.maricopa.gov/aq.

Additional information about how to improve air quality in Maricopa County can be found at www.CleanAirMakeMore.com

If you have any questions regarding this notice, you may contact the inspector listed on the inspection form (upper right corner) or an inspector supervisor at (602) 506-6734. Thank you for your attention to this matter.

Thank you,
Air Quality Compliance Division
602-506-6734

Acronyms used in the Inspection Report		
≤ – Less than or equal to	CM – Certified Mail	NTV – Non Title V
≥ – Greater than or equal to	COMS – Continuous Opacity Monitoring System	O&M Plan – Operations and Maintenance Plan
AAP – Area Accessible to the Public	DCP – Dust Control Plan	PC – Permit Condition
ACWM – Asbestos Containing Waste Material	DGO – Dust Generating Operation	RACM – Regulated Asbestos Containing Material
ASHARA – Asbestos School Hazard Abatement Reauthorization Act	ECS – Emissions Control System	RM – Regular Mail
AHERA – Asbestos Hazard Emergency Response Act	HAP – Hazardous Air Pollutant	Stab. – Stabilize
ATI – At the time of inspection	HAPRACT – Hazardous Air Pollutant Reasonable Available Control Technology	TO – Track Out
AZMACT – Arizona Maximum Achievable Control Technology	HT – Haul Truck	TOCD – Track Out Control Device
CARB – California Air Resource Board	N/A – Not Applicable	VEE – Visible Emissions Evaluation
CEMS – Continuous Emission Monitoring System	N/O – Not Observed	VOC – Volatile Organic Compound

OTC - OPPORTUNITY TO CORRECT: You are hereby notified that you **must** correct the violation(s) of Maricopa County Air Pollution Control Regulations or the specific condition(s) of your air quality permit as indicated on the Violation Notice **immediately**. Failure to correct the condition(s) **immediately** can result in an NOV.

NOV - NOTICE OF VIOLATION: You are hereby notified that you are **in violation** of the Maricopa County Air Pollution Control Regulations or specific condition(s) of your air quality permit as indicated on the Violation Notice. **The violation(s) must be corrected immediately. All notices of violation are referred to the Maricopa County Air Quality Department Enforcement Division or the Maricopa County Attorney for further enforcement action.**

WARNING NOTICE: A Warning Notice which by rule or ordinance requires a period of time to correct a deficiency or to notify the department. A Warning Notice is not referred for penalties but subsequent violation will be assessed penalties.

The owner/operator is ultimately responsible for maintaining the site/facility in compliance with Maricopa County rules and regulations at all times.